

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT of PENNSYLVANIA

ANDREW M. CIRKO o/b/o SANDRA L. CIRKO,

Plaintiff

v.

NANCY A. BERRYHILL,

Defendant

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)

Civil Action No. 1:17-CV-0680

(Chief Judge Conner)

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus postjudgment interest at the rate of _____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____
_____ .

X other: JUDGMENT be and is hereby ENTERED in favor of plaintiff ANDREW M. CIRKO o/b/o SANDRA L. CIRKO, and against defendant, NANCY A. BERRYHILL “the Commissioner,” as follows: The Commissioner’s decision is VACATED and this matter is REMANDED to the Commissioner with instructions to conduct a new hearing and issue a new decision in accordance with this order (Doc. 24), dated March 4, 2019. The new hearing shall be conducted by a different administrative law judge who has been properly appointed in accordance with the Appointments Clause of the United States Constitution.

This action was (*check one*):

☐ tried by a jury with Judge or Magistrate Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge or Magistrate Judge _____ without a jury and the above decision

X decided by Judge or Magistrate Judge _____ Chief Judge Christopher C. Conner

COMPLAINT FOR REVIEW OF HHS DECISION (DIWC)

Date: Mar 4, 2019

CLERK OF COURT PETER WELSH, Acting Clerk of Court

K. McKinney

Signature of Clerk or Deputy Clerk